

# Order

Michigan Supreme Court  
Lansing, Michigan

July 30, 2007

Clifford W. Taylor,  
Chief Justice

129930 & (45)

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

ERIN LEECH,  
Plaintiff-Appellee,

v

SC: 129930  
COA: 253827  
Kent CC: 03-006701-NI

ANITA KRAMER,  
Defendant,

and

KENT COUNTY BOARD OF ROAD  
COMMISSIONERS,  
Defendant-Appellant.

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By order of April 5, 2006, the application for leave to appeal the October 11, 2005 judgment of the Court of Appeals was held in abeyance pending the decision in *Rowland v Washtenaw Co Rd Comm* (Docket No. 130379). The case was decided on May 2, 2007, 477 Mich 197 (2007). On May 29, 2007, the defendant Board of County Road Commissioners of the County of Kent filed a motion for peremptory reversal. On order of the Court, the application and the motion for peremptory reversal are considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we GRANT the motion for peremptory reversal and REVERSE the judgment of the Court of Appeals. The plaintiff's notice to the defendant Board was untimely under MCL 691.1404. *Rowland, supra*. We REMAND this case to the Kent Circuit Court for entry of an order granting summary disposition to the defendant Board.

CAVANAGH and KELLY, JJ., would deny leave to appeal.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

July 30, 2007

*Corbin R. Davis*

Clerk